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7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11
12 In the Matter of the Accusation Against:

Case No. 2010 - 489

13 **KENDRA GRILLET AKA KENDRA**
14 **LYNNA TUNISON AKA KENDRA**
15 **LYNNA HOLLOWAY**
587 Calle Sequoia
Thousand Oaks, CA 91360

ACCUSATION

16 Registered Nurse License No. RN 495924

17 Respondent.
18

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about August 31, 1993, the Board of Registered Nursing issued Registered
25 Nurse License Number RN 495924 to Kendra Grillet aka Kendra Lynna Tunison aka Kendra
26 Lynna Holloway (Respondent). The Registered Nurse License will expire on June 30, 2011,
27 unless renewed. Respondent's license is currently inactive.

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1 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
2 himself or herself, any other person, or the public or to the extent that such use impairs his or her
3 ability to conduct with safety to the public the practice authorized by his or her license.

4 8. Section 4060 of the Code states, in pertinent part:

5 "No person shall possess any controlled substances, except that furnished to a person upon
6 the prescription of a physician, dentist, podiatrist, optometrist . . . or naturopathic doctor. . ."

7 9. Health and Safety Code section 11173, subdivision (a), provides that no person shall
8 obtain or attempt to obtain controlled substances, or procure or attempt to procure the
9 administration of or prescription of controlled substances, (1) by fraud, deceit, misrepresentation,
10 or subterfuge; or (2) by the concealment of a material fact.

11 CONTROLLED SUBSTANCE

12 10. Diphenhydramine Hydrochloride, brand name "Benadryl" (Diphenhydramine), is an
13 antihistamine and a dangerous drug pursuant to Code section 4022. It is used as a sedative, a
14 hypnotic, for itching, to suppress coughs, and for motion sickness. It is available by prescription
15 and over the counter, and can be taken orally or intravenously.

16 COST RECOVERY

17 11. Section 125.3 provides, in relevant part, that the Board may request the administrative
18 law judge to direct a licensee found to have committed a violation or violations of the licensing
19 act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the
20 case.

21 FACTUAL SUMMARY

22 12. Respondent began her employment with Hollywood Presbyterian on or about April 9,
23 2007. On or about April 19, 2007, while on duty as a registered nurse at Hollywood Presbyterian
24 Medical Center for her clinical orientation in the Emergency Department, Respondent was found
25 dazed and confused in a locked restroom, with blood on her face and/or her arm. A butterfly
26 needle, syringe, saline flush solution and five empty vials of Diphenhydramine 50 mg/ml were
27 found in her pocket. Respondent admitted to taking Diphenhydramine/ Benadryl from the
28 hospital and injecting herself via her tongue while in the restroom. Respondent was treated in the

1 Emergency Department for Altered Level of Consciousness and released after approximately five
2 hours. Respondent was also assessed by Social Services for suicidal intentions. Further
3 investigation by the hospital concluded that Respondent took the medication and supplies from
4 the medication and supply areas of the hospital without authorization. Respondent was
5 terminated from employment at Hollywood Presbyterian Medical Center on April 25, 2007.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct based on Use of a Controlled Substance in a Manner Dangerous**
8 **or Injurious to Oneself or Others)**

9 13. Respondent is subject to disciplinary action under section 2761, subdivision (a), on
10 the grounds of unprofessional conduct, as defined by section 2762, subdivision (b) of the Code, in
11 that on or about April 19, 2007, she injected herself with Diphenhydramine while on duty as a
12 registered nurse at Hollywood Presbyterian Medical Center, in a manner dangerous or injurious to
13 herself and/or others, and/or to the extent that such impaired her ability to conduct her nursing
14 duties safely as more fully set forth in paragraph 12.

15 14. Complainant refers to and incorporates all the allegations set forth in paragraph 12 as
16 though set forth fully.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct based on Obtaining and Possessing a Controlled Substance in**
19 **Violation of Law and Self-Administration)**

20 15. Respondent is subject to disciplinary action under section 2761, subdivision (a) on the
21 grounds of unprofessional conduct, as defined by section 2762, subdivision (a) of the Code, in
22 that, while on duty as a registered nurse at Hollywood Presbyterian Medical Center, Respondent,
23 by her own admission, committed the following acts:

24 a. On or about April 19, 2007, Respondent obtained the controlled substance
25 Diphenhydramine and other supplies from the hospital by fraud, deceit, misrepresentation and/or
26 subterfuge by taking them from the hospital, without proper authorization, in violation of Health
27 and Safety Code section 11173, subdivision (a).
28

1 b. On or about April 19, 2007, Respondent self-administered the Diphenhydramine by
2 injection.

3 16. Complainant refers to and incorporates all the allegations set forth in paragraph 12 as
4 though set forth fully.

5 **FACTORS IN AGGRAVATION**

6 17. On or about July 19, 2005 at approximately 2:15 am, while employed at Los Robles
7 Hospital and Medical Center as a registered nurse, Respondent was witnessed leaving the
8 department frequently. Respondent could not be found in a room to room search and did not
9 respond to multiple attempts to page her. Respondent failed to advise anyone in the hospital that
10 she was leaving the floor during her shift. It was determined that Respondent was missing for
11 forty-five minutes after emergency department staff members realized that Respondent's patients
12 were not being attended to. During that time, Respondent failed to attend to her patients,
13 including failing to take vital signs, failing to care for patients, and failing to provide medication
14 to patients.

15 18. While working as a registered nurse at Los Robles Hospital and Medical Center
16 between October 4, 2004 and July 27, 2005, Respondent also failed to properly document
17 wastage of Dilaudid. On multiple occasions the witnessing of wastage was inconsistent and on
18 one occasion Respondent admitted to wasting 1 milligram of Dilaudid in the patient's sharps
19 container rather than in front of a witness.

20 19. Respondent resigned her position at Los Robles Hospital and Medical Center on July
21 27, 2005, the same date that was on letter advising her of her termination.

22 20. Respondent was also terminated from her position as a registered nurse at Northridge
23 Hospital on October 6, 2005, based on a failure to meet department standards and hospital policy
24 during her probationary period. The employment records indicated that Respondent was
25 suspected of possible diversion or use of narcotics. Respondent was observed rummaging
26 through a bag of pill bottles belonging to another nurse's patients; removing Dilaudid without a
27 corresponding doctor's order for a patient who was not her patient; and documenting wastage of
28 medication that was inconsistent with the amount of wastage observed by a witness.

PRAYER

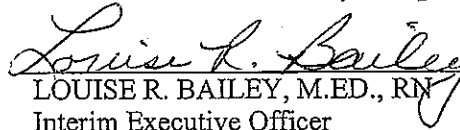
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number RN 495924, issued to Kendra Grillet aka Kendra Lynna Tunison aka Kendra Lynna Holloway;

2. Ordering Kendra Grillet aka Kendra Lynna Tunison aka Kendra Lynna Holloway to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED: 4/6/10



LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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